OPS Notice of Final Rule

"Pipeline Integrity Management in High Consequence Areas (Repair Criteria)"
49 CFR Parts 195

Docket No. RSPA-99-6355

Summary of Rulemaking:

On December 1, 2000, the Research and Special Programs Administration (RSPA), Office of Pipeline Safety (OPS) published a final rule that prescribed integrity management program requirements for pipeline operators who own or operate 500 or more miles of hazardous liquid pipeline. This rule included provisions addressing the repair of conditions found during an integrity assessment. As part of that Integrity Management final rule, OPS requested comments on the repair and mitigation provisions from interested parties. On January 14, 2002, the RSPA published its final rule in this docket in the Federal Register.

The final rule amends § 195.452 with corrections and language clarifications to paragraph (h) and to other provisions within the section and the Appendix C guidance. In recent rulemakings OPS has use a question and answer style format to make the language more user friendly. Paragraph (h) reads: *"What actions must be taken to address integrity issues?"*

Comments submitted to OPS:

No comments were developed and submitted in this rulemaking by either the Washington Citizens Committee on Pipeline Safety or the Washington Utilities and Transportation Commission Pipeline Safety Division. However, the American Petroleum Institute (API) and several pipeline companies provided numerous comments to OPS.

Comments and responses on specific sections:

1. API and a number of the companies took exception to the use of the word "repair" throughout the proposed paragraph (h). They argued that a key principle throughout the integrity management rule was the integration of information on pipeline segments so that appropriate actions could be taken based on a comprehensive assessment. Using the word "repair" suggested only mechanical solutions to all conditions discovered. At least one pipeline operator concurred.

   In response, OPS stated that they agreed the use of the word "repair" might be too narrow to encompass the range of actions an operator could take to address integrity issues identified. Thus, OPS replaced "repair" with the term "remediate"

throughout paragraph (h). OPS explained that their intent was to allow an operator the flexibility to determine the most appropriate action to take. However, OPS also added language to ensure that whatever action is taken by an operator, it must be adequate to resolve the integrity concern on the pipeline for the long term.

2. Section 195.452(h)(2) refers to "discovery" of a condition. Discovery was intended to trigger timeframes for remediation action, either expressly stated in the rule or required by the operator's own schedule as specified in their integrity management plan. Several commenters objected to tying discovery to a specific point in time because of the concept of analysis of a situation occurring over a period of time rather than suddenly. The commenters mentioned that the rule requires operators to integrate information from a variety of sources in the assessment process. OPS responded with revisions so that discovery is considered to have occurred when an operator has adequate information about a condition to determine that it presents a potential threat to the integrity of the pipeline. However, OPS also put an upper limit on the length of the discovery process. An operator must promptly obtain the information from an assessment to ensure that remediation of a condition which could threaten a pipeline's integrity occurs soon after an integrity assessment. The discovery process will end 180 days after an integrity assessment unless an operator can demonstrate that the 180-day period is impracticable.

3. Section 195.452(h)(5) refers to "special requirements for scheduling repairs". OPS's intent was to highlight certain conditions that they believed require either immediate repair, repair within 60 days, or repair within 6 months. Several commenters were troubled by the prescriptive timeframes and stated that the description of conditions could be subject to interpretation. Commenters generally were troubled by the way the language seemed to limit and operator's discretion on how to deal with identified conditions, such as reducing operating pressure due to indicated metal loss. OPS reiterated that they were allowing operators latitude in how to address most conditions identified in the assessment and evaluation process by changing the word "repair" to "remediate." However, OPS stated that they believed there were certain conditions due to the immediate threat they pose to a pipeline's integrity and to a high consequence area that are best addressed by repair. They chose to continue to list these conditions as *"Immediate repair conditions."* Operators will be required to repair these conditions, and until the repair is completed they must reduce operating pressure or shut down the pipeline. (Emphasis added.)

   Conditions that operators must treat as immediate repair conditions include things like metal loss greater than 80 percent of nominal wall thickness, a calculation of remaining pipe strength indicating a predicted burst pressure that is less than the established maximum allowable operating pressure, a dent located on the top of the pipeline with a depth greater than 6 percent of the nominal pipe diameter, a dent located on the top of the pipeline with any indication of metal loss, cracking,

or a stress riser, and an anomaly that in the operator's judgment requires immediate action. The rule also lists a number of conditions requiring remediation within 60 days and a series requiring remediation within 6 months. Note the distinction between "repair" and "remediation" within these other timeframes.

Appendix C to Part 195:

Section VII of Appendix C now lists examples of conditions that may impair a pipeline's integrity. The following are examples of conditions that an operator should schedule for evaluation and remediation:

a. Any change since the previous assessment.
b. Mechanical damage that is located on the topside of the pipe.
c. An anomaly abrupt in nature.
d. An anomaly longitudinal in orientation.
e. An anomaly over a large area.
f. An anomaly located in or near a casing, a crossing of another pipeline, or an area with suspect cathodic protection.